

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

HUA FEN BI,

Defendant.

USDC SDNY	
DOCUMENT	
ELECTRONICALLY FILED	
DOC.#:	6/16/21
DATE FILED:	6/16/21

: PRELIMINARY ORDER OF  
FORFEITURE/  
MONEY JUDGMENT

: 20 Cr. 401 (CM)

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WHEREAS, on or about August 7, 2020, HUA FEN BI (the "Defendant"), among others, was charged in one-count of Superseding Information, S1 20 Cr. 401 (CM) (the "Information"), with conspiracy to operate an unlicensed money transmitting business, in violation of Title 21, United States Code, Section 371 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982, of any and all property, real and personal, involved in the offense charged in Count One of Information, or any property traceable to such property, including but not limited to a sum of money in United States currency representing the amount of property involved in the offense charged in Count One of the Information;

WHEREAS, on or about July 3, 2020, the Defendant pled guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982, a sum of money equal to \$919,832.80 representing all property involved in the offense charged in Count One of the Information;

WHEREAS, the Government asserts that \$919,832.80 in United States currency represents all property involved in the offense charged in Count One of the Information;

WHEREAS, the Government seeks a money judgment in the amount of \$919,832.80 in United States currency, representing the all property involved in the offense charged in Count One of the Information; and

WHEREAS, the Court finds that, as a result of acts and/or omissions of the Defendant, the property traceable to the offense charged in Count One of the Information cannot be located upon the exercise of due diligence.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$919,832.80 in United States currency (the "Money Judgment"), representing the amount of property traceable to the offense charged in Count One of the Information, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, HUA FEN BI, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment in the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

SO ORDERED:

  
HONORABLE COLLEEN McMAHON  
UNITED STATES DISTRICT JUDGE

6/16/21  
DATE